

**Small Domestic Use Registration  
Emergency Tank Storage**

**California Department of Fish and Wildlife  
Terms and Conditions**

Pursuant to Section 1228.3 of the California Water Code, Small Domestic Use Registrations (SDURs) require consultation with the California Department of Fish and Wildlife (CDFW), in addition to the general conditions of the State Water Board. Based on the information provided with the SDUR form and SDUR Self Certification Form, and pursuant to the policies in effect since the Drought State of Emergency declared on January 17, 2014, this SDUR will be issued subject to the following CDFW Terms and Conditions:

- 1) The completed Emergency Tank Storage Self-Certification Form will be attached to the CDFW terms and conditions.
- 2) CDFW shall be notified before any changes to the diversion or the project occur after issuance of the registration to determine if additional conditions will be necessary to protect fish and wildlife resources.
- 3) CDFW staff shall be allowed access to inspect the diversion infrastructure. CDFW personnel shall contact the landowner a minimum of 48 hours before visiting the site. More notice will be provided to the Registrant whenever feasible. Unless otherwise agreed to by mutual consent, the Registrant or their designee will accompany CDFW personnel during site inspections. This condition does not apply to CDFW law enforcement.
- 4) The maximum instantaneous diversion rate from the water intake shall not exceed 10 gallons per minute. This condition is subject to modification should further analysis warranting such action become available at a later date.
- 5) Registrant shall install a means of measuring the quantity of water diverted to and from the storage system, acceptable to CDFW. Registrant shall record the quantity of water pumped to and from the system on a weekly basis. Alternatively, the Registrant can record the frequency of pumping and the time to fill the storage. Copies of the log shall be provided to CDFW at the **[619 Second Street, Eureka, Ca 95501] [7329 Silverado Trail, Napa, Ca 94558]** office no later than December 31 of each year.
- 6) The project shall not prevent, impede, or tend to prevent or impede the

passage of fish (aquatic life for a Class II) up and down-stream pursuant to FGC Section 5901. Project activities shall not interfere with salmonid spawning at any time. The pump (or gravity intake) and any associated infrastructure shall be located away from suitable spawning gravel locations.

- 7) The Registrant shall at all times allow sufficient flow to bypass the point of diversion to maintain fish in good condition downstream of the project.
- 8) All pipes shall be buried to prevent animals from damaging them to prevent leaks in the system.

If diversion is by pumping, the following terms and conditions apply:

- 9) A screen shall be installed on the pump intake to prevent the entrainment of fish into the pump intake. The fish screen shall meet the following criteria:
  - a) Surface area: The minimum unobstructed screen surface shall be 40 square inches.
  - b) Material: The screen material shall be wire mesh, perforated plate, wedge wire or slotted pipe. The screen material shall have at least 27 percent open area. Round openings in the screen shall not exceed 3/32 inch (2.38 millimeters) in diameter, square openings shall not exceed a 3/32 inch diagonally, and slotted openings shall not exceed 0.069 inch (1.75 mm) in width.
  - c) Design: A screen box 8 inches wide by 5 inches long and three inches tall with solid sides and bottom and a screened top meeting the opening size specifications would be deemed to meet these requirements (see attached figure 1). The pump suction attachment to the screen box shall not exceed 1 inch in diameter and be located at the center bottom of the long side of the box. Other screen configurations meeting the required screen area and screen opening size restrictions may be allowed upon approval by CDFW.
  - d) Placement: Where possible, the screen should be placed in flowing water with a minimum of 3 inches of water over the top of the screen. Submersible pumps may be placed in a cylinder with a solid bottom and screened sides meeting the opening size specifications. The cylinder shall be a minimum of 8 inches in diameter and be submerged in at least 2 inches of water (see attached figure 2). The top of the screen cylinder shall extend above the maximum water surface elevation.
  - e) Maintenance: The Registrant shall inspect, maintain, and clean the screen as needed to ensure proper operation and fish protection.

If diversion is by gravity, the following terms and conditions apply:

- 10) Screening constructed to prevent aquatic life from entering the diversion intake shall be installed. The diversion intake shall be screened or covered to prevent animals from becoming entrapped in it.
- 11) No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion structure intake.

#### Forbearance Terms and Conditions

- 12) Storage tanks shall have a float valve to shut off the diversion when tanks are full to prevent overflow from being diverted when not needed. Registrant shall install any other measures necessary to prevent overflow of tanks resulting in more water being diverted than is used.
- 13) Registrant shall remove or disconnect the diversion intake during the forbearance period to ensure no water is diverted during that time.
- 14) The Registrant shall not allow or grant permission to other entities and persons to use water drafting sites.
- 15) The Registrant shall forbear diversion of water for the required number of calendar days each year, according to the following schedule:

<b>Days of Forbearance</b>	<b>Dates of Forbearance (inclusive)</b>
60	August 10 – Oct. 8
70	August 5 – Oct. 13
80	July 31 – Oct. 18
90	July 26 – Oct. 23
100	July 20 – Oct. 28
110	July 15 – Nov. 2
120	July 10 – Nov. 7
130	July 5 – Nov. 12
140	June 25 – Nov. 12
150	June 15 – Nov. 12

- 16) Notwithstanding Term #15 above, the Registrant may resume limited diversions during the period of forbearance if the storage system experiences a significant loss of, or inability to deliver, stored water due to mechanical failure, vandalism, emergency fire suppression, or any other unforeseen event that threatens human health or safety. In such a case, any diversions during the forbearance period shall be for the minimum time and amount necessary to meet inside domestic requirements and fire

protection within the place of use specified in the SDUR. The Registrant shall provide written notice within 48 hours with a justification of the emergency need to CDFW of any resumed diversion during the forbearance period.

- 17) Notwithstanding Term #15, above, in the event the Registrant is unable, despite best reasonable efforts, to completely fill the storage system by the date indicated in the above table due to inadequate streamflow or other factors beyond the Registrant's reasonable control, the Registrant shall measure and record the amount of stored water present in the tanks on the date that filling is no longer possible, and shall use that quantity as the "Total Storage Capacity of System" in the above table, and shall cease diversion for the calendar period corresponding to that quantity in the table. Registrant shall provide written notice to CDFW of the amount of storage filled and the revised forbearance period no later than the first day of the original forbearance period based on the maximum capacity of the storage system.
- 18) Registrant shall make best efforts to coordinate the timing of his or her diversion with those of other diverters on the same stream, to minimize or eliminate the time that multiple parties are diverting from the stream at the same time.

#### Conservation and Terrestrial Protective Terms and Conditions

- 19) Registrant shall make best efforts to minimize water use, and to follow best practices for water conservation and management.
- 20) Existing riparian vegetation shall not be removed as a project activity.
- 21) Healthy, mature, scenic trees shall not be removed as a project activity.
- 22) Nesting birds or occupied nests shall not be disturbed by project activities.
- 23) All tanks shall have lids or other covers to prevent animals from entering the tanks.

The above terms and conditions will remain in effect throughout the initial five-year term of the SDUR. Prior to seeking renewal of the SDUR from the State Water Board, the Registrant shall re-initiate consultation with CDFW. At that time, CDFW may conduct a site visit to determine whether modifications to the current Terms and Conditions are required. CDFW reserves the right to conduct a site visit at any time, if warranted by new information or changed circumstances, and may impose additional site-specific terms and conditions

at that time.

All correspondence with CDFW can be through the field office at **[619 Second Street, Eureka, Ca 95501 or via fax at 707-441-2021 or via phone 707-441-2075][7329 Silverado Trail, Napa, Ca 94558 or via fax at 707-944-5563 or via phone 707-944-5500]**.

CDFW may change or cancel the findings of these terms and conditions should facts warranting such action come to light at a later date or if the purpose of use changes. If you have any questions regarding these conditions, please contact **[Jane Arnold][Corinne Gray]**.

Figure 1. Non-submersible pump application screen box.

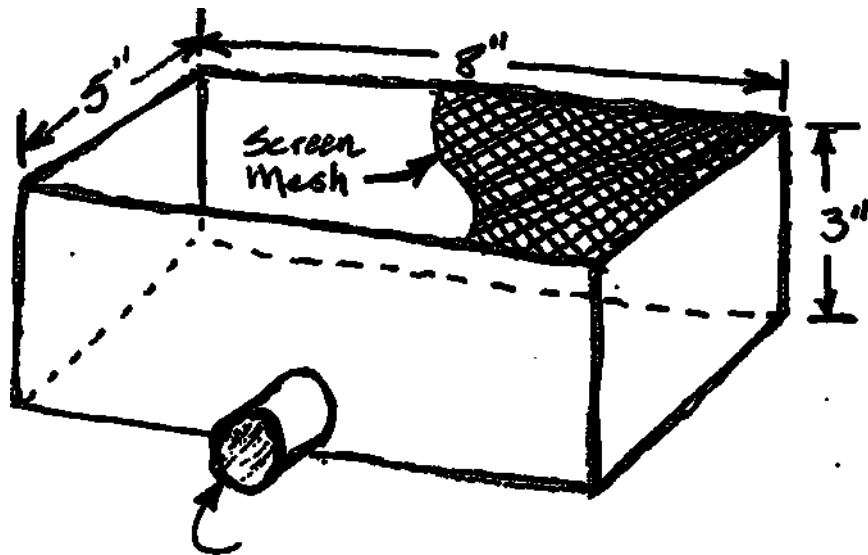


Figure 2. Submersible pump application screen cylinder.

